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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,366	01/28/2004	Virgil Leland Roper	Roper	4868
7590	03/07/2006			
Virgil L. Roper P.O. Box 1045 Lincoln, MT 59639				
EXAMINER MILLER, JONATHAN R				
ART UNIT		PAPER NUMBER		
3653				
DATE MAILED: 03/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 – 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim has two “water fill holes” that are different elements. These must be distinguished from one another (i.e. first and second, or water reservoir water hole and filtration box water hole). Additionally, this distinction must be maintained in the last line of step (d) and step (e).

3. In claim 1, line 18, has the language: “said bolt holes on said rim passing through said bolts”. Examiner believes this is backwards and should be written as “said bolts on said rim passing through said bolt holes”.

4. Claims 2 and 3 are not properly written to depend from claim 1. They should have the same preamble of claim 1, and then further define filtration box (claim 2) and the sluice box (claim 3). For example, claim 2 should read: “The transportable, self-contained wash plant of claim 1, the filtration box further comprising . . .”

### ***Allowable Subject Matter***

5. Claims 1 – 3 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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6. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not disclose or render obvious the water reservoir, filtration box, sluice box and frame elements in combination with the other elements of claim 1.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R. Miller whose telephone number is (571) 272-6940. The examiner can normally be reached on M-F: 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy A. Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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